

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WASHINGTON

DAVID MCKUNE,

Plaintiff,

vs.

JO ANNE B. BARNHART,  
Commissioner of Social Security,

Defendant

Civil No. CV-05-3074-CI

ORDER

Based on the stipulation of the parties, it is ORDERED that the Commissioner's decision be REVERSED and REMANDED to the Commissioner of Social Security for further administrative proceedings. On remand, the administrative law judge (ALJ) shall

- Hold a supplemental hearing;
- Address all relevant medical opinions and reasons for rejecting, if appropriate, specifically, the medical opinions from Drs. Price, Khamisani, and Do;

- address the limitations assessed and provide legally sufficient reasons if he rejects them;
- Reassess Claimant's RFC and provide appropriate limitations for all severe impairments; and
- As needed, obtain medical and vocational expert testimony to assess Claimant's limitations based on his combination of impairments and the vocational significance of these limitations.

New medical evidence, if available, shall be considered on remand. This case is reversed and remanded on the above grounds pursuant to sentence four of 42 U.S.C. § 405(g). Upon proper presentation, this Court will consider Plaintiff's application for costs and attorney's fees under 28 U.S.C. § 2412(d).

DATED this 22<sup>nd</sup> day of May 2006.

S/ CYNTHIA IMBROGNO

UNITED STATES MAGISTRATE JUDGE

Presented by:

s/ Leisa A. Wolf  
LEISA A. WOLF WSB # 23206  
Special Assistant United States Attorney  
Office of the General Counsel  
701 Fifth Avenue, Suite 2900 MS/901  
Seattle, Washington 98104-7075  
Telephone: (206) 615-3621  
FAX: (206) 615-2531  
leisa.wolf@ssa.gov